

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MARCELLOUS WALKER, PAUL
CARBONNEAU, KENNEDY WILLIAMS,
SHAWDARE THOMAS and on behalf
of all other persons similarly situated,

ORDER

Petitioners,

08-cv-233-bbc

v.

STATE OF WISCONSIN, JAMES DOYLE,
Governor, JOHN VOELKER, Director of
State Courts, JOHN AND JANE DOE and
all other persons, officers, agents, servants,
employees, agencies or political subdivisions,
their successors and predecessors, who or which
have and/or are aiding, abetting, assisting, acting
in active concert, or cooperating with them, et al.,

Respondents.

In an order entered in this case on May 21, 2008, I calculated the amounts of the \$350 filing fee petitioners Carbonneau, Williams and Thomas would have to prepay and gave them until June 11, 2008, in which to make their payments. (In an order dated April 25, 2008, I concluded that petitioner Walker would not be required to prepay any portion of the fees and costs associated with filing this lawsuit because he has no means to make such

a prepayment.) In the same order, I told them that any petitioner who fails to pay the amount he has been assessed will be dismissed from this case for his failure to prosecute. The court has received payments from petitioners Carbonneau and Williams. However, no payment has been received from petitioner Thomas. Therefore, petitioner Thomas will be dismissed from this case for his failure to prepay his portion of the \$350 fee for filing this lawsuit.

ORDER

IT IS ORDERED that petitioner Thomas is DISMISSED from this case without prejudice for his failure to prepay his portion of the \$350 fee for filing this lawsuit.

Further, IT IS ORDERED that the complaint in this case is being taken under advisement for a determination under 28 U.S.C. § 1915(e)(2) whether petitioners' action or any portion of it must be dismissed as frivolous or malicious, for failure to state a claim on which relief may be granted or because petitioners seek monetary relief against a

defendant who is immune from such relief.

Entered this 19th day of June, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge